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GARDEN CITY BOXING CLUB, INC.,
Plaintiff,

CIVIL # 07-CV-8076

AFFIDAVIT IN SUPPORT OF
AN ORDER TO SHOW CAUSE

-against-

HATO MAYOR Y AMIGOS
and TOMAS ABREAU
Defendant,

-----X
STATES OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

Paul J. Hooten, Esq. an attorney duly licensed and admitted to practice law in the Courts
of the State of New York, affirms the following under penalty of perjury:

1. That I am the attorney for Plaintiff herein, and as such, I am fully familiar with the facts and circumstances of the within action.
2. This action was commenced pursuant to the defendants unauthorized exhibition of the telecast of the event Oscar De La Hoya and Bernard Hopkins.
3. A summons and complaint was filed with the Court on September 14, 2007. Attached hereto as Exhibit "A" is a copy of the summons and complaint.
4. The defendants were served with a copy of the summons and complaint on October 3, 2007. Attached as Exhibit "B" is a copy of the affidavits of service which were filed with the Court on October 12, 2007.
5. The time for defendants Hato Mayor y Amigos and Tomas Abreau to answer or otherwise move with respect to the complaint herein expires on October 3, 2007.
6. Defendants, Hato Mayor y Amigos and Tomas Abreau have not answered or otherwise



moved with respect to the complaint, and the time for the defendants to answer or otherwise move has not been extended as of this date. Attached as Exhibit "C" is an original Clerk's Certificate of Default.

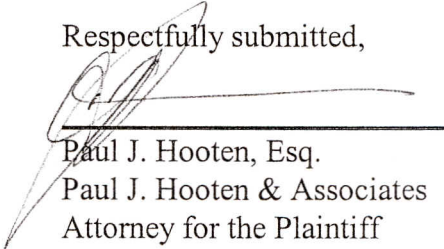
7. There is no need to prove malice or actual knowledge in order to establish a willful violation; constructive knowledge is sufficient. See Fitzgerald, 807 F.2d at 1115; Cable/Home, 902 F. 2d at 851. In the instant case, the defendants actual knowledge that her acts were wrongful should be sufficient to demonstrate that her acts were willful.

8. Therefore, based on the above an inquest hearing would not be necessary.

WHEREFORE, plaintiff, Garden City Boxing Club, Inc. requests that the default judgment of the defendants, Hato Mayor y Amigos and Tomas Abreau be noted and judgment be entered in favor of plaintiff, Garden City Boxing Club, Inc. and against the defendants, Hato Mayor & Amigos and Tomas Abreau.

Dated: April 2, 2008
Mt. Sinai, New York

Respectfully submitted,


Paul J. Hooten, Esq.
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(631)331-0547

April 2, 2008
Cheryl E. Lorefice
CHERYL E. LOREFICE
NOTARY PUBLIC, STATE OF NEW YORK
No. 4999823
Qualified in Suffolk County
Commission Expires August 3rd, 2010